THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.25109 OF 2005

25.11.2005

Between:

P.Kanya Kumari, W/o.Late P.R.K.R.Prakesh, Saroornagar, Hyderabad
and others

…Petitioners

AND

1. The General Manager (Personnel), Hyderabad Industries Ltd.,

Sanathnagar, Hyderabad and others

…Respondents

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WRIT PETITION No.25109 OF 2005

ORDER:

The husband of the first petitioner and father of petitioners 2 and 3 was an employee of Hyderabad Industries Limited. During his life time, he was allegedly allotted an extent of about 140 Sq.yards of land as an employee of the industry. After his death, the petitioners produced a family members certificate issued by the Mandal Revenue Officer, Balanagar and requested the first respondent to register the plot in the name of the second petitioner, in vain. Therefore, the present writ petition is filed seeking a writ of Mandamus directing Hyderabad Industries Limited to register the plot accepting the family members certificate/legal heirs certificate

issued by the Mandal Revenue Officer.

After hearing the learned Counsel for the petitioner, Sri G.Umapathi Sastry, this Court is of considered opinion that this writ petition cannot be accepted for two reasons. First, Hyderabad Industries Limited cannot be termed as a State or Agency within the meaning under Article 12 of Constitution of India nor it is discharging public duty to issue writ under Section 226 of Constitution of India. Secondly, the Mandal Revenue Officer is not competent to issue any legal heir certificate under law. If so advised, the petitioners may approach the appropriate authority or Administrator General for State of Andhra Pradesh for succession certificate.

The writ petition, for the above reasons, is dismissed. No costs.

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(**V.V.S.RAO, J**)

November 25, 2005.

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